

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
November 19, 2013

3:30 P.M. STUDY SESSION- LIBRARY MEDIA AUDITORIUM

CONDUCTING	Mayor James Evans
ELECTED OFFICIALS	Councilmembers Hans Andersen, Margaret Black, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Steve Earl, Deputy City Attorney; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Steve Clark, Public Safety Division Commander; Charlene Crozier, Interim Library Director; Jason Bench, Interim Planning Division Manager; Donna Weaver, City Recorder; and Taraleigh Gray, Deputy City Recorder

Preview – North Pointe Solid Waste Special Service District - Interlocal Agreement

Mr. Amundson reviewed with the Council of the North Pointe Interlocal Special Service District Agreement. Mr. Andersen expressed concern that the City would be entering into a six-year agreement when there might be other providers.

Mr. Davidson explained some of the history with the district, noting that some of the savings Mr. Andersen referenced would actually result in increased costs for residents who would use the North Pointe transfer station as well as City-sponsored events like neighborhood cleanups.

Mr. Seastrand encouraged the City to find the best solution in terms of price, longevity, quality, and sustainability.

Update – Panhandling Ordinance

Mr. Stephens identified the differences between the Orem panhandling ordinance and the Provo panhandling ordinance. He said the main concern of safety, where people are making panhandling transitions in the roadway.

Preview – Cosponsor Group Discussion

Mr. Hirst instructed staff and Council on the intent of the Recreation department to recommend to the Council that language be established in the City Code which would define the relationship between the City and cosponsored groups.

Preview – PD-39 (Cascade Village)

Mr. Bench reviewed the Cascade Village project. He indicated traffic is a main area of concern for this project.

REVIEW OF AGENDA ITEMS

The Council and staff reviewed the agenda items.

CITY COUNCIL NEW BUSINESS

The Council adjourned at 5:55 p.m. to the City Council Chambers for the regular meeting.

6:00 P.M. REGULAR SESSION

CONDUCTING

Mayor James Evans

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Karl Hirst, Recreation Director; Charlene Crozier, Interim Library Director; Jason Bench, Interim Planning Division Manager; Donna Weaver, City Recorder; and Taraleigh Gray, Deputy City Recorder

**INVOCATION /
INSPIRATIONAL THOUGHT**

Kay Mitchell

PLEDGE OF ALLEGIANCE

Val Harrison

APPROVAL OF MINUTES

There were no minutes available for approval.

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

The Mayor referred the Council to the upcoming events listed in the agenda packet. Mrs. Black made an announcement about the "Lights On" celebration at the city center on November 25, 2013.

Upcoming Agenda Items

The Mayor referred the Council to the upcoming agenda items listed in the agenda packet.

Appointments to Boards and Commissions

Mr. Seastrand **moved** to appoint Sheralyn Bennett and Gregory Brown to the Community Development Block Grant Advisory Commission. Mrs. Black **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Mr. Seastrand **moved** to appoint Stacy Noel to the Recreation Advisory Commission. Mrs. Black **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Mr. Seastrand **moved** to appoint Leslie Nelson to the Transportation Advisory Committee. Mrs. Black **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Recognition of New Neighborhoods in Action Officers

No new Neighborhood in Action officers were recognized.

CITY MANAGER APPOINTMENTS

Jamie Davidson requested the advice and consent of the Council to appoint Matthew Biesinger to the Board of Adjustment. Mrs. Black **moved** to appoint Matthew Biesinger to the Board of Adjustment. Mrs. McCandless **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to two minutes or less.

Aaron Orullian shared images of the banners that will be affixed to the light poles throughout Orem's entry streets. He said this effort was in conjunction with Utah Valley University (UVU). The commission created an Orem Honor Roll plaque for those who donate to the project. Mr. Orullian said it is important to honor citizens who are willing to help the city through private donations. He indicated that more information will be shared in February 2014 on this project.

Wayne Burr said the property tax was voted down soundly. He said he was upset when he read the Council was going to shift the funds the City would have gotten from property tax to the utility bill. He expressed concern that the Council might do things to get around the public and go against the will of the people.

Mayor Evans asked Mr. Davidson to clarify on the concern of utility fees. Mr. Davidson said there has not been any discussion regarding shifting from tax to utility bill fees.

CONSENT ITEMS

RESOLUTION - Authorizing the City Manager to Transfer \$20,000 from the City Council Contingency Account to Fund Council Chamber Audio-Visual Upgrades and to purchase computers and accompanying equipment for elected officials

The Council moved this item to the Scheduled Calendar.

SCHEDULED ITEMS

RESOLUTION - Authorizing the City Manager to Transfer \$20,000 from the City Council Contingency Account to Fund Council Chamber Audio-Visual Upgrades and to purchase computers and accompanying equipment for elected officials

Mr. Davidson presented to the Council a resolution to transfer funds from the City Council contingency fund to update necessary equipment for City Council use.

Mr. Sumner asked if there was any furniture or décor included in this proposal, and Mr. Davidson said there was not.

Mr. Andersen said that he is hoping the use of these funds will be to better accommodate the public, who want to be involved in the City Council meetings. Mr. Andersen asked if there was a timetable or goal in place to provide access to the Council proceedings on the internet.

Mr. Davidson said there are some foundational issues that need to be accommodated within the City Council chambers before streaming of meetings would be possible. The primary focus would be to first improve the existing conditions within the Chambers. Mr. Davidson said no timeline was in place.

Mayor Evans said this was critical because citizens should be able to hear what was being said and see what was going on during Council meetings.

Mrs. McCandless **moved**, by resolution, to authorize the City Manager to transfer \$20,000 from the City Council contingency account to fund council chamber audio-visual upgrades, and to purchase computers and accompanying equipment for elected officials. Mr. Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

6:20 P.M. PUBLIC HEARING

ZONING ORDINANCE AMENDMENT – Amending Section 22-11-35(L)(4)(a) pertaining to parking requirements in the PD-22 Zone (Northgate Development).

The proposed amendment is outlined below:

22-11-35(L)(4)(a)

4. Parking.

a. Residential areas. Buildings containing residential uses only shall provide two ~~and a half (2½)~~ parking stalls for every dwelling unit ~~containing two (2) or more bedrooms and two (2) parking stalls for those containing fewer than two (2) bedrooms.~~

Mr. Andersen stated that he would recuse himself from the discussion and vote because he received a campaign contribution from Bruce Dickerson, the applicant. Mr. Andersen said the Council's Code of Ethics excluded gifts.

Mr. Stephens informed Mr. Andersen that in the definition of a gift, campaign contributions were excluded. There was no reason, according to State or City law, that would require Mr. Andersen to recuse himself for a campaign contribution.

Mr. Andersen maintained his intent to recuse himself and left the discussion at 6:27 p.m.

Mr. Bench presented to the Council a proposal to amend section 22-11-35(L)(4)(a) pertaining to parking requirements in the PD-22 Zone, known as the Northgate Development. He said the proposed change would change the requirement from two-and-a-half parking stalls to two parking stalls. Mr. Bench said the Planning Commission reviewed this item and reported they are comfortable with this recommendation.

Mr. Seastrand asked if the change would only affect the Northgate development. Mr. Bench said it would only impact this development.

Bruce Dickerson, applicant, said that after discussing the concern of overflow parking with a neighbor to the development, Mr. Dickerson would relandscape one area and would turn the extra parking into a tot-lot. He said the neighboring development has no sports courts or tot-lots, and this would be an amenity available for all people in the area to use.

Bruce Chesnut said he worked with staff for a number of weeks on the detention basin. The capacity of the basin is such that it would maintain the storm water. He said the tot-lot would be an amenity that does not yet exist in the area. Mr. Chesnut said the association involved in the project would maintain the basin.

Mayor Evans opened the public hearing. When no one came forward, Mayor Evans closed the public hearing.

Mrs. Black **moved**, by ordinance, to amend Section 22-11-35(L)(4)(a) pertaining to parking requirements in the PD-22 zone. Mr. Sumner **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Mrs. McCandless said she supported the change, and appreciated that Mr. Dickerson made a change after speaking with the adjacent property owner.

Mr. Dickerson expressed his gratitude to the City for the park on 800 North. He then said he wanted to clarify the issue raised by Mr. Anderson. Mr. Dickerson said that years ago he made a contribution

to an individual who then made a contribution to Mr. Andersen. Mr. Dickerson said he was not aware of where the money had gone. He said he felt bad about this situation in that he felt used.

Mr. Andersen returned to the meeting 6:37 p.m.

6:30 P.M. PUBLIC HEARING

Enacting Section 22-11-47, PD-34 zone (University Place) and Appendix BB (concept plan); and amending Section 22-5-3(A) and the zoning map of the City of Orem by changing the zone on property located generally between University Parkway and 800 South and 800 East and 590 East from R8 and C2 to the PD-34 zone

Mr. Bench presented a request to enact the PD-34 zone by changing the property located generally between University Parkway and 800 South and 800 East and 590 East from R8 and C2 to the PD-34 zone. Mr. Bench said the University Mall opened their doors in 1973. The mall has expanded over time, and they now want to invest with the City of Orem and expand once again, bringing in new office and retail space. He said the expansion would broaden the Orem tax base, which would positively impact the economy in Orem.

Mr. Bench said this is the first of two public hearings going before the Council and additional input would be allowed on December 10, 2013. Mr. Bench encouraged the public to seek more information regarding the project, should they have any concerns they would like to discuss.

Mr. Bench displayed the noticing map the planning division employed as they endeavored to notify the public of this proposed zoning change. He said they mailed 1,085 notices within a 2,600 foot boundary. He said these notices were sent well beyond the typically required notification boundary of 300 feet.

Mr. Bench said there are several aspects of the concept in creating this PD-34 zone. He indicated this zone would allow a retail, residential, and office mix which would breathe life and energy into the area. The project could add to the vitality of Orem and help the local economy.

Mr. Bench referred to the proposed map and indicated the existing Mervyn's building would be demolished. The entire area would have a mixed component, and within that mix there would be retail, office and residential space. He indicated there were limited areas specific to residential only, and there would be specific height restrictions defined within those areas.

Mr. Bench said a traffic study was conducted on the mall based on the current conditions. He said the project would have a fifteen-year build-out and recommendations had been made as to what could be done over that period of time. He said UDOT was looking at constructing improvements at the intersection of State Street and University Parkway, though the specific details to those improvements were not yet known to the City.

Mr. Bench identified the efforts of the traffic study as an ongoing process. He said each individual site plan would have to go before the Planning Commission. Mr. Bench said the mixed use component could reduce traffic in peak hours up to thirteen percent.

Mrs. Black asked for Mr. Bench to elaborate on the grid system with the proposed Mall project. He said there would be a street connection from State Street over to 800 East. That connection would be part of phase one and could diversify traffic flow.

Mr. Bench presented some examples of different commercial styles being considered for office building. He showed examples of elevations for types of office buildings and residential structures. He reviewed samples of different parking structures.

Mr. Bench said the conceptual plan of phase one is to include the demolition of the Mervyns building, along with a portion of the north mall. An office building would be constructed in addition to residential units. An underground parking structure would be included in phase one, and road and utility infrastructure would be set in place. New major retail and new restaurants would be constructed.

Mr. Seastrand asked for ideas of some of the building heights on the examples shown in the presentation.

Kris Longson, Woodbury Corporation, said he estimated the graphic representation was somewhere around one hundred feet in elevation.

Mr. Seastrand asked how the apartment complex would compare to the elevations provided in the presentation. Mr. Longson said the information on apartment complexes would be covered more in the presentation.

Mrs. McCandless inquired about (1) how tall a building could be in the R8 zone, (2) how tall a building could be in the PD-34 zone, and (3) how tall a build a building could be along 800 East.

Mr. Bench replied that (1) it could be thirty-five feet in the R8 zone, (2) sixty feet in the PD-34 zone, and (3) sixty feet along 800 East.

Mrs. McCandless observed that these numbers are similar to what has been proposed.

Mr. Longson presented to Council the University Place concept, which would be erected at the current University Mall site, should Council enact the PD-34 zone. He gave background on the Woodbury Corporation, the developer heading the proposed project, and shared examples of past Woodbury Corporation projects. Mr. Longson noted that the Woodbury Corporation would partner with Ivory Homes to bring about the residential aspect to the project.

Mr. Longson reviewed the park concept plan, indicating it would include a large grass area and would be included in the first phase of the project. It would have a large play area for children incorporated into the design of the park and that several ways of programming the use of the park would be considered in the design and construction of the park as well. Mr. Longson indicated a future phase of the University Place project would include a swim and tennis club which would be open to the community.

Mrs. Black asked if the proposal contained an office building for the north end of the project. Mr. Longson said the office building would not be included in phase one. He said office buildings were planned for phase two which would include the addition of the swim and tennis club.

Mrs. Street inquired about the capacity of the proposed underground parking structure. Mr. Bench said there would be service parking on the ground level of the structure with 350 parking stalls underneath in the underground portion.

Mr. Sumner said he received an email expressing concern about air pollution due to more people and more automobiles moving through this area.

Mr. Longson said there would be a construction impact which would bring about some increase in pollution, but he reiterated that the project was intended to get people out of their cars and back on foot to enjoy their surroundings. He said that was the concept behind a walkable community.

Mayor Evans opened the public hearing.

Fran Nordmeyer said he was vigorously opposed to the enactment of the PD-34 zone. He said he was concerned the PD zone would relax requirements, which he feels are not appropriate.

Quinn Mecham expressed concern about (1) public education on the impacts of the project, (2) the speed at which a decision was being sought, (3) the density of the residential space, (4) the traffic, and (5) the impact on local schools. He said the project would negatively affect the quality of life for those living in the area and would bring about a fundamental change to the character of Orem.

Phil Snelgrove said he agreed the project would be a fundamental change. He said Orem does not have a city center, and the project—if done well—could be a significant improvement. He requested caution. He asked if a grocery store was anticipated in this plan.

Wayne Burr said he believed in owning and controlling property. He was against zoning. He said people plan their lives around zoning and asked Council to consider the lives of those impacted by the enactment of this zone.

Caroline Earnshaw said more buildings were not the best way to bring about progress.

Keith Warrens said he was concerned the outside of the development would be unappealing as a wall of concrete.

Cathy Griffiths said she was worried about the residential density, and the parking requirements and size of the parking structure. She questioned if visitor parking would be included.

Emily Vance said she was concerned about the (1) height of the project, (2) dynamic between the new residential and old residential, and (3) logistics of public safety responding to this area.

Bob Wright said he thinks December 10th was too soon to vote on the project.

Linda Carlton said she felt greatness was being thrust upon the citizens, and she does not like the proposal.

Calvin Gaisford said he read through the code and noticed some discrepancies, leaving him with question such as whether or not the apartments would be owner occupied or leased.

Ronnie Connors expressed concern the project would become a transient project and an eye sore. She questioned if there had been a study to determine the need for high density residential and urged the Council not to allow high density housing on the mall property.

Vernon Stout said he was concerned about the water and sewer infrastructure. He asked why the proposal would allow a building 180 feet tall if the developer only intended a 100-foot building. He said he was worried about public safety concerns with a fifteen story building.

Mark Leighton said he was curious if anything was addressed in the proposal to make way for churches.

Sherry Liston asked the Council to reconsider, saying the master plan intended Orem to be predominantly a single-family community.

Kay Mitchell said she was concerned about setback limits, mall maintenance, rented apartment, and schools.

Colby Mitchell said he rents a living space in the area. He would like more time to discuss details of the impact that increased residential would have.

Cynthia Campbell, Orem business owner, voiced concern that business owners in Orem would not be able to attract the caliber of people to work at Orem businesses.

Theresa Lindsay said she thought it would be better if the residential units were owner-occupied and not up for rent.

Rebecca Daley said she was concerned that Orem would end up subsidizing the mall development which would create debt for Orem.

Sam Clark said he was worried about the homes adjoining the project making the property values for the homes to the west unstable. He suggested that the developers could purchase homes if the values went down.

Melody Andersen said she was concerned Woodbury Corporation was giving money to Council members who would vote in favor of the proposal.

Karen Zea expressed concern about (1) the urbanization of Orem, (2) where schools would fit into the plan, (3) adequacy of the parking, (4) if the area would be safe.

Aaron Orullian said he surveyed thirty-one business owners on State Street, many of whom said they felt the appearance of State Street and the Mall was ugly. He said he compared the proposal to the Riverwoods project in Provo; it could be good for Orem. A city with no economic growth would die. He said it could maintain needed growth improve the mall's appearance.

James Fawcett said he was concerned about the view, both for the neighbors and people driving by.

Shelly Parcel said she thought things were changing unnecessarily, and the plans were vague. Information could be hidden in the proposal. She requested more time to consider the proposal.

Barbara Jackman asked if student housing would be incorporated in the PD zone and questioned the specific number of apartments that would be constructed. She questioned if the property was already zoned for student housing.

Tai Riser said he liked the project idea. He has heard a lot of suggestion to delay the vote and observed that he did not know any successful business owner who would delay service because there was a pending change in management. Mr. Riser said Woodbury brings in ten percent or more tax of Orem's sales tax revenue. The proposed housing would target young professionals and was just the kind of housing they would be looking for.

Jared Conners said the project was more than a business decision, and he expressed concern that it would change social interaction residents in the area. It might be a walkable community but Orem residents do not normally walk in the hot summer and in the cold winter.

Janelle Burgen said she was concerned with the high density living space and the term "upscale." She asked what was considered upscale about these apartments.

Joyce Scofield said she was concerned about the high density element of the proposal and who would want to live there.

Val Harrison expressed concern about the residential density and that the total allowable units under the zone was 1,500, rather than the 450 units being discussed.

Bradley Baird said that, while he is a proponent of property rights, Orem is not concentrated enough to support a project like the one being proposed. Because of the cost of the project, mall rents could go up and businesses there would be forced out.

Becky Smith said she is new to Orem and has concerns about crime and pollution. There should be another community meeting about the project.

Bill Jackman suggested the Council listen and make adjustments, so the problems with the project could be solved. He said he had a petition signed by 600 people asking for the Council to postpone the vote until after first of the new year.

Laura Muhlestein said she was not against the project and looked forward to the possible changes in the area. She said there were gray areas in the proposal, and she wanted the zoning to be specific and match exactly what Woodbury planned to do.

Jerri Nordmeyer expressed thanks to the Council for sitting and listening to concerns of the public on this proposal.

Leslie Nelson said it was obvious a lot of time and money had gone into analyzing the plan. She said making something that benefits the community was a smart move. Orem would continue to grow, but more land was not available for it. The mall proposal provides solutions for people who want to stay in Orem. Mrs. Nelson said she thinks people were too worried about something that was already well thought-out.

Julie Siebach said she felt the mall expansion was a good way to get people to want to live there. The proposal was a positive thing. She voiced concerned that 800 East had not been built to accommodate the possible increase in traffic.

Robert Deucher said he was opposed to the high density and asked the Council to give the residents in the area consideration.

Anne Liecty, Orem business owner, said she was confused why so many apartments would be needed there. She asked for more time to consider.

Sharon Anderson read the opening to Chapter 22 in the City Code. She said most people wanted to see improvements at the mall but questioned if this project would promote the health, safety, and welfare of the Orem community.

Tom Sawyer requested for more time to allow residents time to fully digest the proposal. The overly dense residential proposal would have a negative impact on the neighborhood.

Jessica Conners said the proposal seemed dramatic and suggested Woodbury Corporation put forth a written agreement to keep those wanting to stay abreast of changes in the proposal abreast. The residents should have an opportunity for further feedback.

Jolene Liston asked what the percentages of landscaping were throughout the project. She noted that, in regard to City Creek, only one percent of the residents who live downtown work downtown. She questioned who would live in these units.

Mayor Evens called for a short break at 9:20 p.m. The meeting reconvened at 9:33 p.m.

Mayor Evans brought the discussion back to staff and Council for common concerns voiced during the public hearing to be addressed.

Mr. Davidson addressed concerns to utilities. He said utilities are based on usage. He said he could see the road network possibly mitigating specific concerns. He said if there were ways to spread the traffic, it could serve to improve traffic conditions.

Mr. Davidson said the physical size of the proposed project had not changed. He indicated that the average life of most utilities was typically between forty and fifty years, and the City had anticipated needing to do significant utility work in the area. Partnering the mall and Woodbury Corporation to update the utilities could save the City money. Mr. Davidson reported that Alpine School district was equipped to accommodate the proposed growth. He said future conversations could take place about infrastructure. At this point, no specific conversations have taken place regarding utilities.

Mr. Davidson then reviewed with the Council some of the City's history with the mall. When Woodbury Corporation brought in Nordstrom, the City entered into a performance-based incentive agreement, which was tied to sales tax generated on the University Mall campus. He said that agreement included a reimbursement to the Woodbury Corporation of up to \$975,000 per year. The sales figures were not reached the first couple of years, but in subsequent years it was, and those payments continued through 2012. When Nordstrom left, those payments to Woodbury—per the agreement—came to a halt. Mr. Davidson said it was important to understand that the mall campus accounted for twelve to fifteen percent of Orem's sales tax revenues, which are critical to fund the City's and was vital to the future of Orem.

Mr. Longson said he realized it was not possible to resolve everyone's concerns at that night's meeting, and he understood that the project would impact those in surrounding areas. He reiterated that putting in a park and green area was intended to help neighbors. He said it was possible there would be a public open house for the public where residents could ask more specific questions regarding the proposal. Mr. Longson indicated that they hope a grocery store could be incorporated into the plan.

Chris Gamvroulas, Ivory Homes, thanked the residents for coming. The residential component of the proposal would be single-ownership control. He said well-managed communities maintained their values more than condominium complexes would. Mr. Gamvroulas noted that a market study had been conducted, and that internal market study would assure the public this investment would be made in confidence. He said the market would be able to absorb what they were proposing to build. Ivory Homes and Woodbury Corporation were committed to doing the right thing for Orem.

Mayor Evans asked how the word of an open house would be distributed. Mr. Longson suggested advertising through the Orem website, by flyers, and by inviting people.

Mrs. McCandless **moved** to continue the public hearing to 6:30 p.m., December 10, 2013. Mrs. Street **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

MOTION – CANVASS AND CERTIFICATION – 2013 Municipal General Election Results

Donna Weaver, City Recorder reviewed the process to complete the canvass and certify the 2013 Municipal General Election results. Pursuant to State law, it is necessary for the City Council, as the Board of Canvassers, to canvass the election no sooner than fourteen days after the completion of the ballot. After the canvassing has been completed, it will be necessary for the Council, by motion, to officially certify the results of the Canvass.

Mrs. Weaver reported that 145 provisional ballots were received, 11 of which could not be counted.

Mr. Seastrand **moved** that the City Council:

1. Verify the results of the election by ratifying the results of the prec canvass.
2. Change Total Voted from 12,615 to 12,799.
3. Certify the election results with the following changes:

Mayor

Richard Brunst6,770..... to.....6,870

Chris Nichols5,784..... to.....5,863

City Council

Tom Macdonald7,552..... to.....7,650

Brent Sumner5,943..... to.....6,013

David M. Spencer5,896..... to.....5,988

Mary Street.....5,610..... to.....5,677

Sharon Price Anderson5,039..... to.....5,113

Wayne Burr4,888..... to.....4,954

CARE Tax Renewal Question

Yes7,856..... to.....7,970

No.....4,593..... to.....4,658

Proposition 2 – Property Tax Adjustment

Against8,628..... to.....8,760

For3,787..... to.....3,836

4. Declare 4-year term Mayor candidate Richard Brunst to be elected.
5. Declare 4-year term City Council candidates Tom Macdonald, Brent Sumner, and David M. Spencer to be elected.
6. Declare the CARE Tax Renewal Question to have passed.
7. Declare Proposition 2—Property Tax Adjustment to have failed.

Mrs. Black **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

COMMUNICATION ITEMS

Budget Report – Month Ended October 2013

CITY MANAGER INFORMATION ITEMS

There were no City Manager Information Items.

ADJOURNMENT

Mr. Andersen **moved** to adjourn the meeting. Mrs. McCandless **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

The meeting adjourned at 10:15 p.m.

Approved: January 14, 201

Donna R. Weaver, City Recorder